

## IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_

PRESENT: Supervisors

ABSENT:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING AMENDMENT NO. 9  
TO LAND CONSERVATION CONTRACT  
PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965**

The following resolution is hereby offered and read:

**WHEREAS**, Government Code Section 51240 provides that the County may enter into contracts for the purpose of preserving agricultural land within an agricultural preserve; and

**WHEREAS**, on February 28, 1984, the Board of Supervisors duly adopted Resolution No. 84-88, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the County entered into a Land Conservation Contract dated February 28, 1984, (the "Original Contract"), with Robert S. Attiyeh and Linda H. Attiyeh, for certain real property located in the County of San Luis Obispo; and

**WHEREAS**, on February 23, 1988, the Board of Supervisors duly adopted Resolution No. 88-96, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract; and

**WHEREAS**, on February 20, 1990, the Board of Supervisors duly adopted Resolution No. 90-100, approving Second Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first amendment to the Original Contract; and

**WHEREAS**, on February 16, 1993, the Board of Supervisors duly adopted Resolution No. 93-79, approving Third Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first and second amendments to the Original Contract; and

**WHEREAS**, on February 21, 1995, the Board of Supervisors duly adopted Resolution No. 95-79, approving Fourth Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first, second, and third amendments to the Original Contract; and

**WHEREAS**, on February 11, 1997, the Board of Supervisors duly adopted Resolution No. 97-79, approving Fifth Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first, second, third, and fourth amendments to the Original Contract; and

**WHEREAS**, on December 14, 1999, the Board of Supervisors duly adopted Resolution No. 99-534, approving Sixth Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first, second, third, fourth, and fifth amendments to the Original Contract; and

**WHEREAS**, on December 19, 2000, the Board of Supervisors duly adopted Resolution No. 2000-550, approving Seventh Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first, second, third, fourth, fifth, and sixth amendments to the Original Contract; and

**WHEREAS**, on December 18, 2001, the Board of Supervisors duly adopted Resolution No. 2001-523, approving Eighth Amendment to Land Conservation Contract, a copy of which is on file in the office of the County Clerk and is incorporated by reference herein as though set forth in full, wherein the Original Contract was amended by adding real property to the land already under contract as described in Exhibit A of the Original Contract and first, second, third, fourth, fifth, sixth and seventh amendments to the Original Contract; and

**WHEREAS**, the current owner desires to amend the Original Contract by adding real property to the land already under contract as described in Exhibit A of the Original Contract and the first, second, third, fourth, fifth, sixth, seventh and eighth amendments to the Original Contract; and

**WHEREAS**, an Amendment No. 9 to Land Conservation Contract (the "Ninth Amendment") has been presented to the Board of Supervisors by THE ATTIYEH FOUNDATION, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, owner of the land described therein, which land is located within an agricultural preserve previously established by the Board of Supervisors; and

**WHEREAS**, the applicant for the Ninth Amendment has presented to the County all necessary supporting documents as required by the Rules of Procedure to Implement the California Land Conservation Act of 1965 in San Luis Obispo County adopted by the Board of Supervisors; and

**WHEREAS**, all owners of the property to be added and all trust deed beneficiaries and mortgagees of the property to be added, if any, have properly executed said Ninth Amendment and their signatures thereto have been notarized; and

**WHEREAS**, the Board of Supervisors finds that it is in the public interest to approve execution of the above Eighth Amendment.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the Amendment No. 9 to Land Conservation Contract submitted by THE ATTIYEH FOUNDATION, A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, a copy of which is attached hereto as Exhibit "A" and incorporated by reference herein as though set forth in full, is hereby approved by the County of San Luis

Obispo, and the Chairperson of the Board of Supervisors is hereby authorized and directed to execute said Ninth Amendment on behalf of the County of San Luis Obispo.

2. The Clerk of the Board of Supervisors is authorized and directed to record the above Ninth Amendment in the office of the County Recorder of the County of San Luis Obispo.

Upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and on the following roll call votes, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the following resolution is hereby offered and read:

\_\_\_\_\_  
Chairperson of the Board of Supervisors

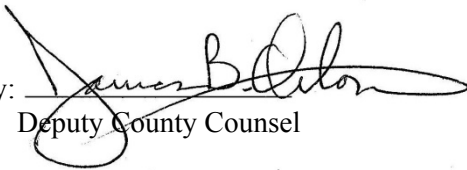
ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

Dated: November 27, 2012